

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

GABRIEL GIGENA,

Plaintiff,

v.

RENEE C. DAY, ET AL.,

Defendants.

No. 2:23-cv-01660 DJC CKD (PS)

**ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS**

Plaintiff is proceeding in this action pro se and in forma pauperis. This proceeding was referred to this court by Local Rule 302(c)(21).

On September 15, 2023, the Magistrate Judge filed findings and recommendations herein which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections. The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED THAT:

1. The September 15, 2023 findings and recommendations (ECF No. 4) are ADOPTED in full;

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2. The complaint is DISMISSED for lack of jurisdiction; and

3. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: January 29, 2024

/s/ Daniel J. Calabretta

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THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE